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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,974	03/03/2000	Steven V. Larson	13661-107	5719

32300 7590 10/10/2003

BRIGGS AND MORGAN, P.A.  
2400 IDS CENTER  
MINNEAPOLIS, MN 55402

EXAMINER
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STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 10/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/517,974	LARSON, STEVEN V.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gregory J. Strimbu	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 29 August 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

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The applicant's comments in the appeal brief of July 16, 2002 were deemed to be persuasive, however, the application cannot be allowed in its current form. Therefore, the finality of the previous Office action has been withdrawn and the prosecution of the application has been reopened so that the following rejection can be applied.

### ***Drawings***

The corrected or substitute drawings were received on August 29, 2001. These drawings are approved.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It is suggested that the applicant amend the title to include the gasket with anti-roll extensions as set forth in claim 1.

### ***Claim Rejections - 35 USC § 112***

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "high" on line 2 of claim 7 render the claims indefinite because the term is a relative and its meaning cannot be readily ascertained by one with ordinary skill in the art or discerned from the specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 8-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in figure 1 in view of McDonald and Ryan et al. The admitted prior art in figure 1 discloses an air handling unit comprising, a hinged door (D) engaging the air handling unit and comprising a front wall (not numbered, but shown in figure 1) and side walls (not shown) and a rear wall (not shown) with an insulating material (see page 2, lines 16-17), a gasket (not shown), the hinged door and air handling unit are capable of withstanding a pressure differential of up to six inches of air pressure (see page 2, lines 18-19). The admitted prior art is silent concerning a frame, a gasket with anti-roll extensions and a hollow core.

However, McDonald discloses a door and frame combination, the combination comprising a frame 10, a hinged door 56 engaging the frame, the door 56 further comprising a front wall (not numbered), rear wall (not numbered), and side walls (not numbered) enclosing a hollow core (not numbered) and insulting material 66 filling the

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hollow core. The insulating material is an expanding polyurethane foam. As shown in figure 1, the door includes a window (not numbered) (claim 8).

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art of figure 1 with a frame, and a hollow core and insulating material, as taught by McDonald, to increase the insulating value and strength of the door when in the closed position.

Additionally, Ryan et al. discloses a gasket 10 for sealing between a door and a door frame wherein the gasket includes anti-roll extensions 15-17, 20 and 21 and has a central hollow core.

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art of figure 1 with a anti-roll extensions, as taught by Ryan et al., to improve the seal between the door and the door frame.

With respect to claims 3 and 10, the admitted prior art of figure 1 is silent concerning the particular thickness of the side walls. However, one of ordinary skill in the art is expected to routinely experiment with parameters so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been no more than an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill to provide the side walls with a thickness of 2 inches to improve the insulating value and strength of the door.

Claims 5, 12, 16, 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of McDonald and Ryan et al. as applied to claims 1-4, 8-11 and 15 above, and further in view of Colliander. Colliander disclose a gasket comprising a friction reducing material 21 on a gasket wall 19.

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art of figure 1, as modified above, with a friction reducing material, as taught by Colliander, to ensure the easy opening and closing of the door.

With respect to claim 20, the admitted prior art of figure 1 is silent concerning the particular thickness of the side walls. However, one of ordinary skill in the art is expected to routinely experiment with parameters so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been no more than an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill to provide the side walls with a thickness of 2 inches to improve the insulating value and strength of the door.

Claims 6, 7, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in figure 1 in view of McDonald and Ryan et al. as applied to claims 1-4, 8-11 and 15 above, and further in view of Jansen.

Jansen discloses a thermally insulating panel 12 comprising a thermal pocket (not specifically numbered, but seen in figure 2) being filled with an insulating material 50 comprising high density polyurethane.

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It would have been obvious to one of ordinary skill in the art to provide the admitted prior art of figure 1, as modified above, with thermal pockets and attendant insulating material, as taught by Jansen, to provide an efficient means of manufacturing the door and frame combination.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in figure 1 in view of McDonald, Ryan et al. and Colliander as applied to claims 5, 12, 16, 17, 19 and 20 above, and further in view of Jansen.

Jansen discloses a thermally insulating panel 12 comprising a thermal pocket (not specifically numbered, but seen in figure 2) being filled with an insulating material 50 comprising high density polyurethane.

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art of figure 1, as modified above, with thermal pockets and attendant insulating material, as taught by Jansen, to provide an efficient means of manufacturing the door and frame combination.

### ***Response to Arguments***

Applicant's arguments filed July 16, 2003 have been fully considered but they are moot in view of the new grounds of rejection.

### ***Conclusion***

**THIS ACTION IS NOT MADE FINAL.**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is (703) 305-3979. The examiner can normally be reached on Monday through Friday from 8:00 A.M. to 4:30 P.M. The fax phone number for this Group is (703) 305-3597. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu  
Primary Examiner  
Art Unit 3634  
October 3, 2003